

### **REMARKS**

Claims 77, 78, 80-82, 86, 87, and 89-91 are currently pending in the application, claims 1-76, 79, and 88 having previously been canceled, and claims 83-85 and 92-94 being canceled by the present amendment without prejudice or disclaimer. Claims 77 and 86 are the only independent claims and have been amended in compliance with 37 CFR § 1.116(b) to more clearly claim disclosed embodiments. No new matter has been added as the foregoing amendments have support in the specification as originally filed.

Claims 77, 78, 80- 87, and 89-94 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Beckmann et al. ("Beckmann" U.S. Pat. Pub. No. 2003/0035423) in view of LG Electronics Inc, "RAN considerations on MBMS," TSG-RAN Working Group 2 Meeting #30, June, 2002 ("LG"). Applicant respectfully traverses these rejections, and requests reconsideration and allowance of the pending claims in view of the following arguments.

### **Substance of Interview**

As a preliminary matter, Applicant gratefully acknowledges the courtesies extended by the Examiner and his supervisor in the December 17, 2009 telephonic interview with Applicant's representatives, Harry Lee. The Examiners' comments and explanations were helpful and very much appreciated. Pursuant to MPEP § 713.04, Applicant provides the following remarks.

Prior to the interview, the Examiners were provided with proposed amendments to the claims, in particular, independent claims 77 and 86. Applicant's position with regard to this claim in view of the prior art was that as generally set forth below.

The Examiners acknowledged Applicant's position, and agreed that the proposed amendments to independent claims 77 and 86 appeared to define these claims over the currently relied upon cited art. The Examiners further indicated that a more-detailed review of the amended claims, the cited references, as well as a further review and search of relevant prior art, would also be necessary before a patentability decision on the pending claims could be determined. The Examiners' time and attention to this application is gratefully acknowledged.

### **Rejection under 35 U.S.C. § 103(a)**

Claims 77, 78, 80- 87, and 89-94 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Beckmann in view of LG.

Independent claims 77 and 86, as amended, recite that the at least one logical channel comprises a MBMS point-to-multipoint traffic channel (MTCH) and the transport channel comprises a Forward link Access channel (FACH), the at least one logical channel is located between a Radio Link Control (RLC) layer and a Medium Access Control (MAC) layer and the transport channel is located between the MAC layer and a physical (PHY) layer, the MAC layer comprises a plurality of MAC sub layers, each of the first identifier and the second identifier is added by a MAC-c/sh layer that processes a common or shared data, and the MAC-c/sh layer further performs a scheduling function or a priority handling function.

It is respectfully submitted that the cited combination of references fails to disclose or suggest the above identified features recited in independent claims 77 and 86. Accordingly, it is respectfully asserted that independent claims 77 and 86, and their respective dependent claims are allowable.

### **CONCLUSION**

In view of the above remarks, Applicant submits that the currently pending claims of the present application are in condition for allowance. Reconsideration of the application is requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Customer No. 035884

Date: December 18, 2009

Enclosure: Claims Correspondence Table

Respectfully submitted,

Lee, Hong, Degerman, Kang & Waimey

/Harry S. Lee/

Harry S. Lee

Registration No. 56,814